



County of Fairfax, Virginia

November 18, 2015

STAFF REPORT

SPECIAL PERMIT NO. SP 2014-MA-208

MASON DISTRICT

APPLICANT: Elizabeth J. Sejas

OWNERS: Elizabeth J. Sejas
Adan H. Sejas

SUBDIVISION: Knollwood

STREET ADDRESS: 6735 Princess Anne Lane, Falls Church, 22042

TAX MAP REFERENCE: 60-2 ((12)) 19

LOT SIZE: 21,317 square feet

ZONING DISTRICT: R-2

ZONING ORDINANCE PROVISIONS: 3-203, 8-305

SPECIAL PERMIT PROPOSAL: To permit a home child care facility.

STAFF RECOMMENDATION:

Staff recommends approval of SP 2014-MA-208 for the home child care facility with the adoption of the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

Laura B. Arseneau

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

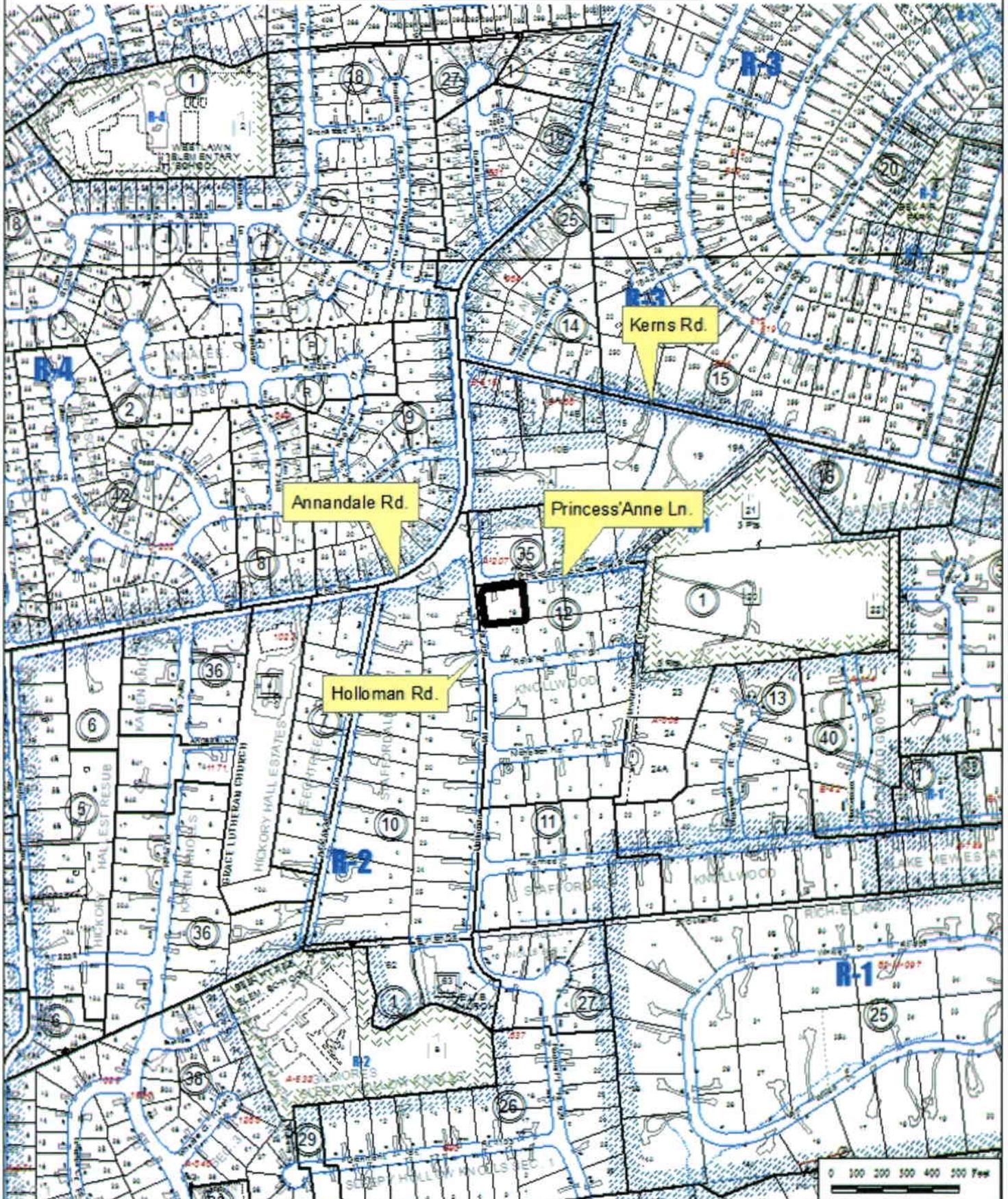
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

SP 2014-MA-208
ELIZABETH J. SEJAS

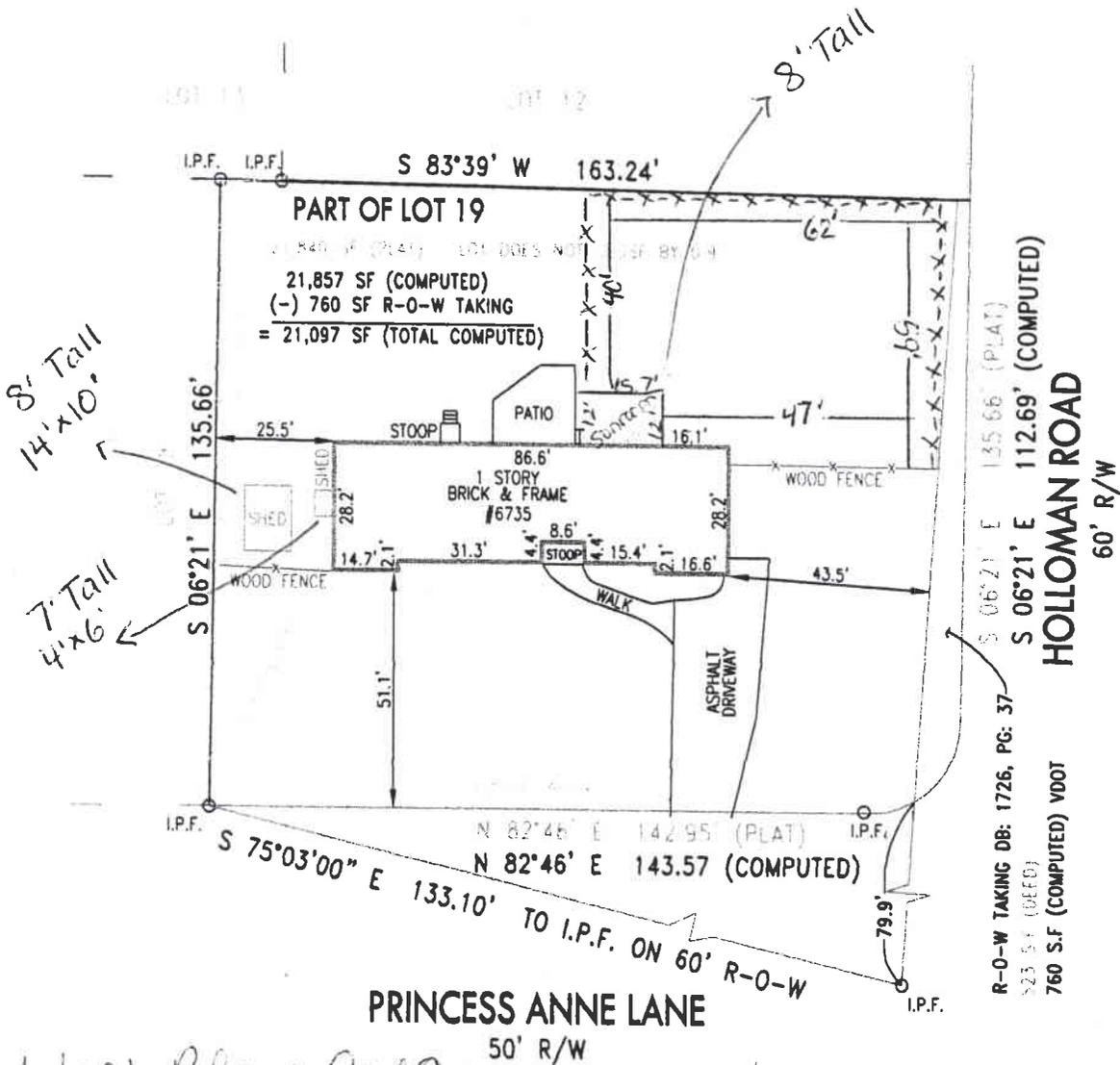




7611 Little River Turn
Suite
Annandale, VA

Office: 703 354
Fax: 703 655

I hereby certify the
location of all existing
improvements have been
located by a transit
tape or electronic
device and, unless
shown, there are no
encroachments. This
been provided for
action on or about
of this plat. This
is limited to the plat
transaction. This
furnished for inform
purposes in the iss
title insurance and
be used for any de
construction or to s
property corners.
locations shown or
are approximate ar
certified as to relat
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agent has requeste
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original signature
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Unauthorized copie
be in conformanc
current survey req
under Virginia Stat
shall not be used f
ance and/or mortg
underwriting



Outdoor Play Area
62' x 40' = 2,480'

RECEIVED
Department of Planning & Zoning

MAR 28 2014

Zoning Evaluation Division

Elizabeth Sejas 3/23/14

Elizabeth Sejas 9/15/14

SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a home child care facility for up to 12 children.

A copy of the special permit plat, titled “Property Report, Part of Lot 19, Knollwood” as modified by Elizabeth Sejas on September 15, 2014, is included in the front of the staff report. Copies of the proposed development conditions, the statements of justification with select file photographs and the affidavit are contained in Appendices 1 through 3, respectively.

CHARACTER OF THE SITE AND SURROUNDING AREA

The site is developed with a one story single-family detached dwelling. As a corner lot, the property has two front yards: one along Princess Anne Lane and one along Holloman Road.

A stoop, walkway and asphalt driveway are located in the front yard abutting Princess Anne Lane. A one story addition with white siding is located to the west



Figure 1- Aerial View of Subject Property

of the dwelling and a sunroom addition is attached to the north side of the dwelling. A patio and stoop are located in the functional rear yard. Two sheds are located in the side yard and a wood fence and play area are located in the front yard along Holloman Road.

The property is located southeast of Annandale Road at the intersection of Holloman Road and Princess Anne Lane. The subject property and surrounding properties are zoned R-2 and developed with single family detached dwellings.

BACKGROUND

Fairfax County Tax Records indicate that the single-family attached dwelling was constructed in 1951 and purchased by the applicant in 2010.

Staff did not locate any building permits in the county files related to the sunroom or addition. Staff used historic aerial photography and found that the addition and the sunroom have existed in their current locations since at least 1997, 13 years prior to the applicant's purchase of the home. Staff has included a development condition to require that the applicant obtain all applicable permits and inspections related to the sunroom and the addition and to ensure that the home child care does not use these areas until this is completed.

DESCRIPTION OF THE PROPOSED USE

The applicant requests approval of a special permit for a home child care facility for up to 12 children on-site at any one time, between the hours of 7:30 a.m. and 5:30 p.m., Monday through Friday. There is an existing staggered drop-off and pick-up schedule for the children. Currently, there are two assistants.

The home child care facility is operated on the main level of the dwelling. The enclosed play area is located in the rear yard.

The applicant holds a current Family Day Home License, effective for two years, which expires on August 21, 2017, from the Commonwealth of Virginia, Department of Social Services. The license lists the business hours as 7:30 a.m. to 5:30 p.m., Monday through Friday. The license also permits a capacity of twelve children, from 1 month to 12 years 11 months of age. A copy of the license is included as Appendix 4.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area I, Jefferson Planning District
Planning Sector: Sleepy Hollow Branch Community Planning Sector (J2)
Plan Map: Residential, 1-2 du/ac

Parking

An asphalt driveway provides approximately four parking spaces. The applicant parks her personal vehicle in the driveway leaving three spaces open for pick-up and drop-off of the children during the hours of operation. The employees do not drive to the site.

Zoning Inspection Branch Comments (Appendix 5)

Staff was not able to test the smoke detector on the site visit due to sleeping children. The applicant has included pictures of operable smoke detectors that are included in

Appendix 5. Staff found that an accessory structure (play equipment) did not meet minimum setback requirements and the property had an existing fence in the front yard over four feet in height. The applicant removed the playset and is lowering the fence height to meet the zoning ordinance requirements. The applicant has provided photographs to staff to demonstrate compliance with the above mentioned issues, these photos are included in Appendix 5.

Zoning Ordinance Requirements (Appendix 6)

- Sect. 8-006 General Special Permit Standards
- Sect. 8-303 All Group 3 Uses
- Sect. 8-305 Additional Standards for Home Child Care Facilities
- Sect. 10-103 Par. 6 Location Regulations

Bulk Standards (R-2)		
Standard	Required	Provided
Lot Size	15,000 sf.	21,097 sf.
Lot Width	Corner: 125 feet	135.66 feet
Building Height	35 feet max.	Not provided
Front Yards	Min. 35 feet	43.5 feet, 51.1 feet
Side Yards	Min. 15 feet	Approx. 55 feet, 25.5 feet

Accessory Structure Setback Standards				
Structure	Yard	Minimum Yard Required	Existing Location	Permit Status
Shed	Side	Under 8.5 feet in height	Approx. 6 feet	n/a
Shed	Side	Under 8.5 feet in height	Approx. 21 feet	n/a
Concrete patio	Rear	12 feet	Approx. 38 feet	n/a
Sunroom	Rear	12 feet	Approx. 40 feet	To be obtained with development conditions

General Standards for Special Permit Uses (Sect. 8-006)

Standards 1 and 2 Comprehensive Plan/ Zoning District	The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-2 District permits a home child care facility as an accessory use with special permit approval.
Standard 3 Adjacent Development	No new construction is proposed. In staff’s opinion, the proposed use will not hinder or discourage use or development

	of neighboring properties or negatively affect value.
Standard 4 Pedestrian/Vehicular Traffic	Arrival and departure times of the children are staggered. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
Standard 5 Landscaping/Screening	There is existing fencing that separates the play area from the neighbors. There have been no complaints from the neighbors about the existing home child care use.
Standard 6 Open Space	There is no prescribed open space requirement in the R-2 District.
Standard 7 Utilities, Drainage, Parking, and Loading	There are no changes to the utilities and drainage serving the property or use. As previously discussed, the three parking spaces shall be left open for the pick up and drop off of children.
Standard 8 Signs	Sect. 10-103 of the Zoning Ordinance prohibits signs for home child care facilities.

Standards for all Group 3 Uses (Sect. 8-303)

Standard 1 Lot Size and Bulk Regulations	The property conforms to the lot size and bulk regulations of the R-2 district. No exterior modifications are proposed with this application.
Standard 2 Performance Standards	The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.
Standard 3 Site Plan	Home child care facilities are not subject to the provisions of Article 17, Site Plans.

Additional Standards for Home Child Care Facilities (Sect. 8-305)

Standard 1 Maximum of 12 Children & Non-Resident Employees	The applicant is proposing a maximum of 12 children at any one time, which complies with the ordinance requirements. The applicant requests two non-resident employees.
Standard 2 Access and Parking	Arrival and departure times are staggered and parking is available in the driveway. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
Standard 3 Landscaping/Screening	There is an existing fence in the rear yard that provides screening.
Standard 4 Submission Requirements	The applicant submitted a house location survey in lieu of a special permit plat, which is a permissible alternative.

<p>Standard 5 Code of Fairfax Chapter 30 and Code of Virginia, Title 63.2, Chapter 17</p>	<p>The applicant has a valid home child care license through August 21, 2017, for 12 children from 7:30 a.m. to 5:30 p.m., Monday through Friday.</p>
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Use Limitations (Par. 6 of Sect. 10-103)

<p>Part A Maximum Number of Children</p>	<p>The maximum number of children permitted by-right at any one time is seven in a single family detached dwelling. The applicant requests special permit approval to allow a maximum of twelve children at any one time.</p>
<p>Part B Licensed Provider/ Primary Residence</p>	<p>The applicant is a state licensed home child care provider and the subject property is the provider's primary residence.</p>
<p>Part C No Exterior Evidence Except Play Equipment</p>	<p>There is no exterior evidence of the proposed use except play equipment and toys.</p>
<p>Part D Non-Resident Employee</p>	<p>The applicant is proposing two non-resident employees and they shall only be at the home child care between 7:30 a.m. to 5:30 p.m., Monday through Friday.</p>
<p>Part E Provider is a Resident</p>	<p>The provider is a resident of the property.</p>
<p>Part F Code of Fairfax, Chapter 30 and Code of Virginia, Title 63.2, Chapter 17</p>	<p>Chapter 30 of the Code of the County of Fairfax addresses home child care facilities and Title 63.2, Chapter 17 of the Code of Virginia addresses licensure and registration procedures. The applicant has a valid state home child care license. A development condition has been added in Appendix 1 to ensure the home child care will continue to meet state license requirements.</p>
<p>Part G Increase in Children or Non-Resident Employees</p>	<p>The maximum number of children permitted by-right at any one time is seven in a single family detached dwelling and can be increased to up to 12 children with special permit approval. The applicant requests special permit approval to allow a maximum of 12 children at any one time and two non-resident assistants.</p>

CONCLUSION/ RECOMMENDATION

Staff believes that the home child care in this application is in conformance with the applicable Zoning Ordinance provisions.

Staff recommends approval of SP 2014-MA-208 for the home child care facility with the adoption of the proposed development conditions contained in Appendix 1.

Staff believes that the home child care has adequate parking and will not negatively impact traffic in the neighborhood. The allowance of a maximum of 12 children will not adversely affect neighbors and staff believes the physical conditions of the property can adequately support the home child care use.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

APPENDICES

1. Proposed Development Conditions
2. Applicant's Statement of Justification with Select File Photographs
3. Applicant's Affidavit
4. State Family Day Home License
5. Zoning Inspections Branch Comments
6. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2014-MA-208****September 23, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-MA-208 located at Tax Map 60-2 ((12)) 19 to permit a home child care facility, pursuant to Sects. 3-203 and 8-305 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. The special permit approval for the home child care use is granted to the applicant, Elizabeth J. Sejas, and is not transferable without further action of the Board, and is for the property located at 6735 Princess Anne Lane, and is not transferable to other land.
2. This special permit is granted only for the home child care use, indicated on the plat entitled "Property Report, Part of Lot 19, Knollwood" as modified by Elizabeth Sejas on September 15, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of the special permit conditions shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The hours of operation of the home child care will be from 7:30 a.m. to 5:30 p.m., Monday through Friday as listed on the approved state license.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed twelve.
7. A maximum of two non-resident employees may be involved in the home child care facility, limited to the hours of 7:30 a.m. to 5:30 p.m., Monday through Friday.
8. All pick-up and drop-off of children shall occur in the driveway.
9. There shall be no signage associated with the home child care facility.

10. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number and ages of children being cared for at the home child care facility.
11. The accessory structures shall remain locked during the hours of operation of the home child care facility.
12. Any portions of the dwelling associated with the home child care facility that are used as a children's sleeping or rest area shall be located in a room with an operable exterior window, door or similar device that provides for a means of escape and access for rescue in the event of an emergency. Such emergency escape and rescue openings shall be of the dimension and size specified by the Virginia Uniform Statewide Building Code.
13. The child care facility shall be operated in accordance with Chapter 30 of the County Code, entitled "Minimum Private School and Child Care Facility Standards".
14. The applicant and/or property owner shall obtain all relevant permits and inspections for the sunroom and addition to the dwelling within 9 months of approval of this special permit. Until the final inspections are completed, the sunroom and the addition shall not be used by the home child care.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

MAR 28 2014

Zoning Evaluation Division

STATEMENT OF JUSTIFICATION
FOR A HOME CHILD CARE FACILITY

Name: ELIZABETH J. SEJAS
 Address: 6735 PRINCESS ANNE LANE
FALLS CHURCH, VA. 22042
 Phone #: 703-663-8173
 E-mail: elizabethsfdc@gmail.com

Date 2-28-14

Fairfax County Department of Planning & Zoning
 Zoning Evaluation Division
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035

Re: Special Permit Application
 Applicant: ELIZABETH SEJAS
 Zoning Ordinance Section 8-305 for Home Child Care Facility
 Section 8-004 of General Standards

Tax Map #: 60-2-12-0019
 Zoning District: R-2
 Lot Size: 21,317 sq.ft.

To whom it may concern,

Please accept the following as my statement of justification for a special permit for a home child care facility in my home. I own and live in a attached (detached *circle one*) dwelling at 6735 PRINCESS ANNE LN. FALLS CHURCH, VA. (your address). The property is zoned R-2 and I understand I need to seek approval of a special permit in order to operate a child care facility within my home. I am currently licensed by the State of Virginia to have 12 children in my child care facility in my home. Below is information about my child care facility's operations:

Hours. The child care is open from M-F, 7:30-5:30 pm

Number of Children. I care for up to 12 children at any one time. This number does not include my own 2 child/children

Employees. I have 0 assistant(s) who work part-time and 2 assistant(s) who work full-time.

Arrival Schedule. 8 of the children arrive between 7:30 AM and 8:30 AM.
4 of the children arrive b/t 8:30 am & 10:00 am.

Departure Schedule. 2 of the children are picked up at 4 PM. 3 of the children are picked up at 4:30pm. 4 of the kids are picked up at 5pm. 3 are picked up at 5:30pm

Area Served. 2 live in the immediate area & walk. The rest live in the general ^{what neighborhood/general area do the children live in?} vicinity.

Operations. As I stated, my house is a single-family attached (detached (circle one) dwelling. It has (explain the general layout of the house): 2 large rooms to the right of entrance. These are the main rooms used for daycare. There is a sunroom off of one of these rooms used often as well. Kitchen/living room area is used as well as 2 bathrooms. Bedroom area The house has 2453 square feet. The following rooms are where I conduct the day care: the left & Living Rm #1, Addition, Sunroom, Btrm 1, Kitchen, Living Rm 2 used at times. These rooms are 2063 square feet total. I have attached a floor plan.

Hazardous or Toxic Substances. The house and yard are free from hazardous or toxic substances. No hazardous materials will be generated, utilized, stored, treated, and/or disposed of onsite.

Zoning Ordinance Compliance. The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver, exception or variance is sought, such request has been specifically noted with the justification for such modification.

Outdoor Play Area. I use my back yard for outdoor play for the children. The area is approximately 2,480 square feet. The outdoor play area consists of: various climbing structures & a small picnic table. I have a small shed where I store toys for them. The entire backyard is fenced in. The yard is kept neat & tidy. The outdoor play area is completely fenced in.

Parking. I use my driveway to park my family car(s). My parents park in my driveway. My driveway provides enough parking for up to 4 cars. In addition, ample parking is available along the street in front of my house for parents. Employees do not drive to work.

For these reasons, I believe that my proposed home day care facility will not impact my neighbors in any negative way.

In conclusion, I am proposing no changes to the outside appearance of my home. I propose no addition & no signs regarding the daycare. Adequate parking is available for my parents. My employees do not drive to work. For these reasons, I believe that my proposed home day care facility will not impact my neighbors in any negative way.

Sincerely,

Elizabeth Sejas

Owner of Elizabeth Sejas ES

Arrival Schedule and Departure Schedule

Arrival Schedule

Child	7:00 – 7:45 AM	7:45 – 8:00 AM	8:00 – 8:30 AM	9:00 – 9:15 AM
1	X			
2	X			
3		X		
4		X		
5			X	
6			X	
7			X	
8			X	
9			X	
10				X
11				X
12				X

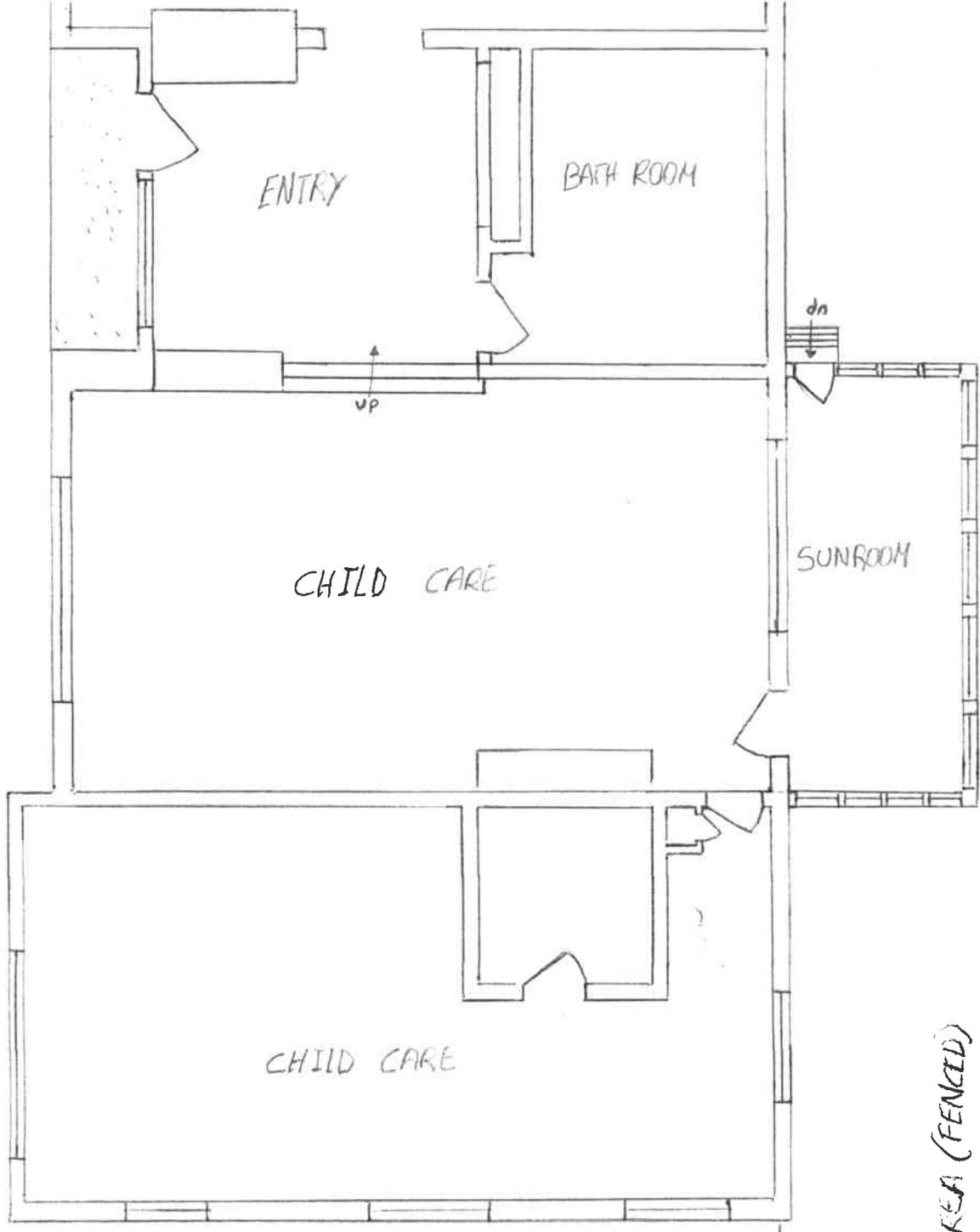
Departure Schedule

Child	2:45 – 4:15 PM	4:15 – 4:30 PM	4:30 – 5:00 PM	5:00 – 5:30 PM
1	X			
2		X		
3		X		
4			X	
5			X	
6			X	
7			X	
8				X
9				X
10				X
11				X
12				X

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Department of Planning & Zoning

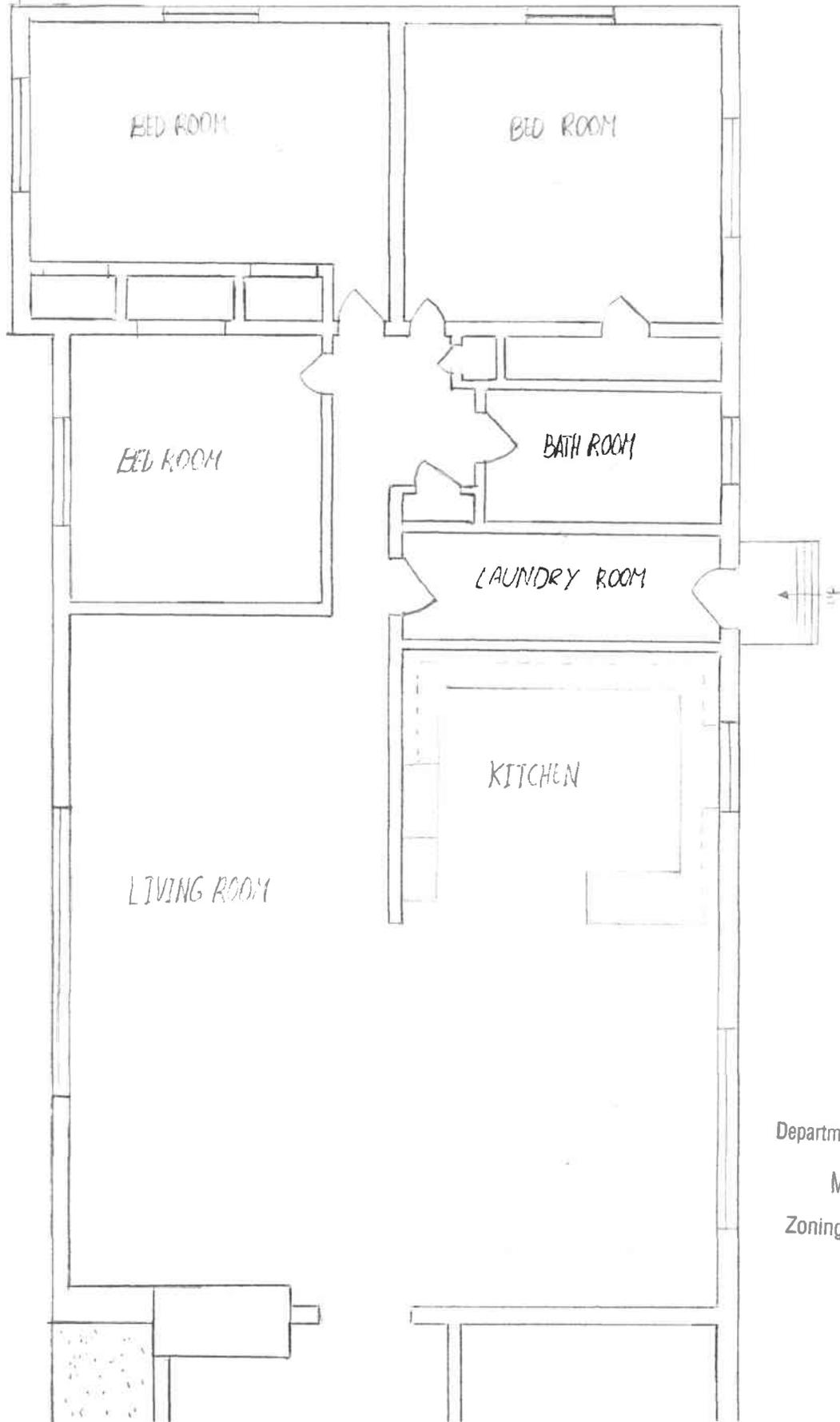
MAR 28 2014

Zoning Evaluation Division



OUT DOOR PLAY AREA (FENCED)

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Department of Planning & Zoning
MAR 28 2014
Zoning Evaluation Division



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Department of Planning & Zoning

MAR 28 2014

Zoning Evaluation Division

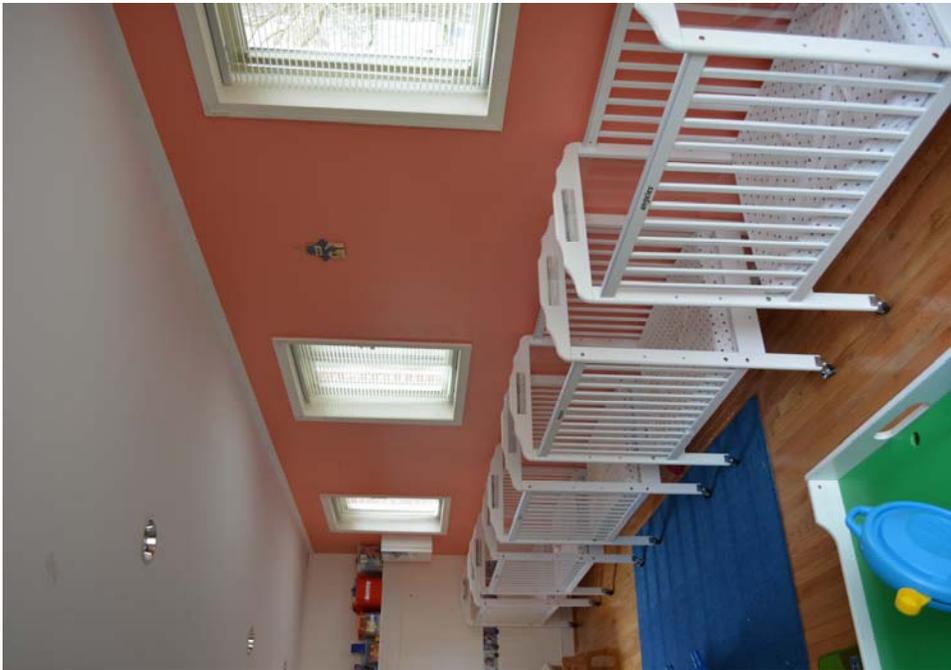












125012

Application No.(s): SP 2014-MA-208
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: August 21, 2015
(enter date affidavit is notarized)

I, Elizabeth J. Sejas, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Elizabeth J. Sejas	6735 Princess Anne Lane Falls Church, VA. 22042	Appliant/ Title Owr
Adan H. Sejas	6735 Princess Anne Lane Falls Church, VA. 22042	Title Own

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium
** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): SP 2014-MA-208
(county-assigned application number(s), to be entered by County Staff)

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Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: August 21, 2015
(enter date affidavit is notarized)

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

N/A

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

N/A

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s):

SP 2014 - MA - 208

125012

(county-assigned application number(s), to be entered by County Staff)

Page Thru

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: August 21, 2015
(enter date affidavit is notarized)

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner Limited Partner, or General and Limited Partner**)

N/A

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s):

SP 2014-MA-208

(county-assigned application number(s), to be entered by County Staff)

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125016

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: August 21, 2015
(enter date affidavit is notarized)

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Paragraph 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

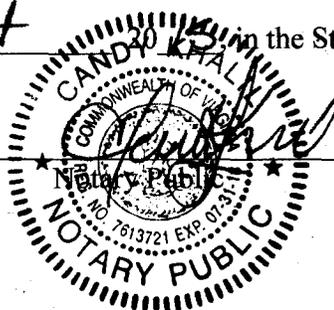
Elizabeth J. Sejas

Applicant [] Applicant's Authorized Agent

Elizabeth J. Sejas
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 21 day of August in the State/Comm. of Virginia, County/City of Fairfax

My commission expires: 7-31-18



125012

OWNER CONSENT/AGENT AUTHORIZATION STATEMENT

To Whom It May Concern:

I/We, the undersigned applicant and/or title owner(s) of the property identified below, do hereby authorize Elizabeth J. Sejas to act as agent(s) in the furtherance of an application for a special permit on property located at: 6735 Princess Anne Lane, Falls Church, VA 22042; Tax Map No. **0602-12-0019**.

Thank you in advance for your cooperation.

TITLE OWNER

Date: 8/21/15

By: [Signature]
Adan H. Sejas

COMMONWEALTH/STATE OF: Virginia
CITY/COUNTY OF: Stafford, TO WIT:

The foregoing instrument was acknowledged before me this 21 day of August, 2015, by Candy Khalil.



AFFIX NOTARY SEAL/STAMP

[Signature]
Notary Public (Signature)
Notary Registration No. 7613721
My Commission Expires: 07-31-18

DEPARTMENT OF



SOCIAL SERVICES

FAMILY DAY HOME LICENSE

Issued to:

Elizabeth Sejas

Address:

6735 Princess Anne Lane, Falls Church, Virginia 22042

This license is issued in accordance with provisions of Chapters 1, 17 and 18, Title 63.2, Code of Virginia and other relevant laws, the regulations of the State Board of Social Services and the specific limitations prescribed by the Commissioner of Social Services as follows:

<u>CAPACITY</u>		
12		
<u>GENDER</u>	<u>AGE</u>	
Both	Birth through 12 years	

This license is not transferable and will be in effect August 22, 2015 through August 21, 2017 unless revoked for violations of the provisions of law or failure to comply with the limitations stated above.

ISSUING OFFICE:

Virginia Department of Social Services
Division of Licensing - Fairfax Licensing Office
3701 Pender Drive, Suite 125
Fairfax, VA 22030

Telephone: (703) 934-1505

FDH 1108245-L110
LICENSE NUMBER

MARGARET ROSS SCHULTZE
COMMISSIONER OF SOCIAL SERVICES

By

James J. Parcelli

Title

LICENSING ADMINISTRATOR

Date

August 3, 2015



County of Fairfax, Virginia

MEMORANDUM

Date: April 3, 2015

To: Laura Arsenau, Planner II
Zoning Evaluation Division

From: Dawn Curry
Senior Zoning Inspector
Zoning Inspection Branch

Subject: Home Child Care – SP 2014-MA-208

Applicant: Elizabeth Sejas
6735 Princess Anne Lane, Falls Church, Virginia 22042
Knollwood, Lot 19
Tax Map# 60-2 ((12)) 19
Zoning District: R-2
Magisterial District: Mason
ZIB # 2015-0142
Date of Inspection: March 26, 2015

KEY: A “✓” mark in a box indicates that the item was deficient. An unmarked box indicates that no violation was found.

- ✓ 1. An operable smoke alarm shall be provided outside of each sleeping area, with at least one such device on each floor.
* The smoke detector could not be tested due to sleeping infants/toddlers.
- 2. All exit stairs, interior or exterior, shall be in good repair and shall be provided with handrails and guard rails as required by the Virginia Uniform Statewide Building Code.
- 3. All egress pathway and exit doors shall be unlocked in the direction of egress and free from obstructions that would prevent their use, including debris, storage, and accumulations of snow and ice.

- 4. Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.
- 5. Extension cords, temporary wiring, and flexible cords shall not be substituted for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings, or floors, or under doors or floor coverings, or be subject to environmental or physical damage.
- 6. A working space of not less than 30 inches in width, 36 inches in depth, and 78 inches in height shall be provided in front of the electrical service equipment. Where the electrical service equipment is wider than 30 inches, the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space.
- ✓ 7. Structures comply with the Zoning Ordinance.

*An accessory structure (children's play equipment) exceeded the allowable height limitations.

*The property was located on a corner lot and had an accessory fence, in excess of four (4) feet.

8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-303 Standards for all Group 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

8-305 Additional Standards for Home Child Care Facilities

1. The number of children that may be cared for in a home child care facility may exceed the number of children permitted under Par. 6A of Sect. 10-103, but in no event shall the maximum number of children permitted at any one time exceed twelve (12), excluding the provider's own children. The BZA may also allow more than one nonresident person to be involved with the use. Except as described above, home child care facilities shall also be subject to the use limitations of Par. 6 of Sect. 10-103.
2. The BZA shall review access to the site and all existing and/or proposed parking, including but not limited to the availability of on-street parking and/or alternative drop off and pick up areas located in proximity to the use, to determine if such parking is sufficient. The BZA may require the provision of additional off-street parking spaces based on the maximum number of vehicles expected to be on site at any one time and such parking shall be in addition to the requirement for the dwelling unit.
3. The provisions of Article 13 shall not apply to home child care facilities, however, the BZA may require the provision of landscaping and screening based on the specifics of each application.
4. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plan drawn to scale. The plan, which may be prepared by the applicant, shall contain the following information:
 - A. The dimensions, boundary lines and area of the lot or parcel.
 - B. The location, dimensions and height of any building, structure or addition, whether existing or proposed.
 - C. The distance from all property lines to the existing or proposed building, structure or addition, shown to the nearest foot.
 - D. The dimensions and size of all outdoor recreation space and the location of such space in relation to all lot lines.
5. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

Sect. 10-103 Use Limitations

6. The following use limitations shall apply to home child care facilities:

- A. The maximum number of children permitted at any one time shall be as follows:
 - (1) Seven (7) when such facility is located in a single family detached dwelling.
 - (2) Five (5) when such facility is located in a single family attached, multiple family or mobile home dwelling.

The maximum number of children specified above shall not include the provider's own children.

- B. A home child care facility shall be operated by the licensed or permitted home child care provider within the dwelling that is the primary residence of such provider, and except for emergency situations, such provider shall be on the premises while the home child care facility is in operation. Notwithstanding the above, a substitute care provider may operate a home child care facility in the absence of the provider for a maximum of 240 hours per calendar year.
- C. There shall be no exterior evidence, including signs, that the property is used in any way other than as a dwelling, except that play equipment and other accessory uses and structures permitted by this Part shall be allowed.
- D. In addition to the persons who use the dwelling as their primary residence, one (1) nonresident person, whether paid or not for their services, may be involved in the home child care use on the property, provided that there is only one (1) such person on the property at any one time and the hours of such attendance shall be limited to 7:00 AM to 6:00 PM, Monday through Friday.
- E. Notwithstanding the provisions of Par. B above, a child care provider may care for the maximum number of children permitted in Par. A above in a dwelling other than the provider's own, as long as the dwelling is the primary residence of at least one of the children being cared for by the provider. Such child care provider shall comprise the one nonresident person allowed under Par. D above.
- F. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

G. An increase in the number of children permitted under Par. A above or the involvement of more than one nonresident person as permitted under Par. D above may be permitted in accordance with the provisions of Part 3 of Article 8.